IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 3168 of 2004(B)

PETITIONER:

SHEEBA JOSEPH, VALATTU HOUSE,
PAISAKARY, CHANDANKKAMPARA, KANNUR.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS:
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1. **THE KANNUR UNIVERSITY,**
   REPRESENTED BY ITS REGISTRAR, MANGATUPARAMBA, KANNUR
   UNIVERSITY CAMPUS P.O., KANNUR.

2. **THE VICE-CHANCELLOR,**
   KANNUR UNIVERSITY, MANGATTUPARAMBA,
   KANNUR UNIVERSITY CAMPUS P.O.,
   KANNUR.

***ADDL.R3 IS IMPLEADED:**

R3. M.M.SHEEBA,
D/O.MANUKUTTAN, MANJERI PARAMBU,
KADAMOBODE, MANJERI (VIA),
MALAPPURAM DISTRICT.

(ADDL.R3 IS IMPLEADED AS PER ORDER DTD. 25/05/2004
IN I.A.NO.5813/2004)

BY ADV. SRI.MOHAMMED MUSTAQUE, SC, KANNUR UTY.
SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY for R1 & R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.3168/2004 B

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:	**COPY OF CERTIFICATE ISSUED BY SCHOOL GAMES FEDERATION OF INDIA FOR THE YEAR 1998.**
EXT.P1(A):	**COPY OF CERTIFICATE ISSUED BY SCHOOL GAMES FEDERATION OF INDIA FOR THE YEAR 1998.**
EXT.P1(B):	**COPY OF CERTIFICATE ISSUED BY AMATEUR ATHLETIC FEDERATION OF INDIA.**
EXT.P1(C):	**COPY OF CERTIFICATE ISSUED BY THE ASSOCIATION OF INDIAN UNIVERSITIES FOR THE YEAR 1999.**
EXT.P1(D):	**COPY OF CERTIFICATE ISSUED BY THE ASSOCIATION OF INDIAN UNIVERSITIES FOR THE YEAR 2000.**
EXT.P1(E):	**COPY OF CERTIFICATE ISSUED BY THE ASSOCIATION OF INDIAN UNIVERSITIES FOR THE YEAR 2001.**
EXT.P2:	**COPY OF IDENTITY CARD ISSUED BY THE REGISTRAR OF THE UTY.**
EXT.P3:	**COPY OF PARTICIPANT'S IDENTITY CARD.**
EXT.P4:	**COPY OF ORDER DTD. 27/06/1997 ISSUED BY 1ST RESPONDENT.**
EXT.P5:	**COPY OF REPRESENTATION DTD. 4/07/2003 OF THE PETITIONER TO THE 2ND RESPONDENT.**
EXT.P6:	**COPY OF LETTER DTD. 19/12/2003 OF THE 1ST RESPONDENT.**

/TRUE COPY/

KSS

KURIAN JOSEPH, J.

W.P(C)No. 3168 of 2004

Dated this the 28th day of March, 2007

JUDGMENT

The writ petition is filed mainly with the following prayer:-

> ii) to issue a writ of mandamus or any other appropriate writ or order directing the respondents to award grace mark of 12% and merit certificate to the petitioner for securing third place in 4 x 400 metre relay event in the 63rd All India Inter-University Athletic Championship.

It is seen that the University Syndicate considered the matter and decided not to grant the grace marks on the ground that the petitioner was not the person selected for the Inter-University Athletic Meet. According to the petitioner she is an outstanding sports woman and she had won laurels for the University for two years and the dispute is only for the year 2002-03 Meet. Even if there is some irregularity in the process of selection, the undisputed fact remains that she participated in the Meet, contends the petitioner. Learned counsel appearing for the University, referring to the statement filed on behalf of the first respondent, submits that her participation itself was against the name of another person, namely M.M.Sheeba, who is impleaded as the

additional 3rd respondent. Though notice is served, there is no appearance for the additional 3rd respondent. According to the petitioner the 3rd respondent has no objection in granting grace marks to the petitioner since the petitioner has participated in the Inter-University Athletic Meet. Since the Syndicate has already taken a decision against the petitioner it is for the petitioner to move the Vice Chancellor of the University afresh, in which case the said authority will look into the matter based on the submissions of the petitioner with notice to the petitioner and the additional 3rd respondent and appropriate action in accordance with law and justice will be taken within another two months.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.